

Teacher Guide
Issues And Decisions
Mini Small Claims-Trial Activity

In this exercise, students gain the most from coming up with their own conclusions about which issues were the most important in each case. This information is provided to acquaint teachers with basic principles of law that appear to be involved in each case, however there could be alternative outcomes that could also be just.

FIRST CASE

Issue: Did the assistant fail to live up to his agreement? If so, what would be the appropriate remedy?

Decision: It appears from the facts that the Plaintiff did what he had agreed to do. He agreed to deliver the papers and did just that. The agreement did not specify that he had to put papers in the mailboxes or inside halls. On the other hand, it is important to remember that the Plaintiff was an assistant to the Defendant. Since he was an assistant, he knew from experience that delivering the papers included putting them in the mailboxes and in the halls. Therefore, it is clear that the Plaintiff should have done what he knew from his experience to be the right thing. It might be concluded, therefore, that half of the papers did get delivered successfully and half did not. Judgment would, therefore, be for the Plaintiff for \$1.50. One dollar fifty cents is appropriate since the agreement was for fifty papers, and twenty-five people got their papers in good condition.

SECOND CASE

Issue: Is the Plaintiff entitled to the additional \$1.00 per hour?

Decision: From the facts, it appears the Plaintiff had agreed to baby-sit for \$2.00 per hour. When the Plaintiff arrived on the job and saw an additional child, she did not say she wanted more money. The Plaintiff did not tell the Defendant that she expected \$1.00 per child when they made the agreement. It was, therefore, unfair for the Plaintiff to demand this amount after the fact. The Defendant understood that the charge was \$2.00 per hour and not \$1.00 per child. To give the \$1.00 additional fee per hour would be unfair to the Defendant. Judgment for the Defendant.